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C O N F I D E N T I A L SECTION 01 OF 03 USOSCE 000171

SIPDIS

STATE FOR VCI/CCA, EUR/RPM
NSC FOR NILSSON, HAYDEN
JCS FOR J5 NORWOOD, COL SMITH
OSD FOR ISA (KEHL, WALLENDER)

E.O. 12958: DECL: 05/13/2014

TAGS: [KCFE](#) [OSCE](#) [PARM](#) [PREL](#)

SUBJECT: CFE/JCG: JANUARY-JULY 2009, END OF ROUND: RUSSIA
LOOKS BACKWARDS, NATO LOOKS FORWARD

REF: STATE 04933

Classified By: Chief Arms Control Delegate Hugh Neighbour,
for reasons 1.4(b) and (d).

¶1. (C) Summary: The 2009 winter/spring round of the Joint Consultative Group (JCG) was dominated by Allied criticism of Russia's failure to fulfill its obligations under CFE, juxtaposed with Russia's counter allegations of "gross NATO violations" and, after the Spring recess, a new focus on presenting and defending its May 2009 Aide Memoire. The 2009 winter/spring round of the JCG commenced one day before the inauguration of President Obama. Most States Parties seemed sympathetic to the fact that building a new team in Washington and reviewing policy would delay any substantive discussions on CFE, particularly in light of competing U.S. domestic priorities. Russia stepped up its activity after introducing its Aide Memoire in early May.

¶2. (C) A series of high-level events in the early-summer, including Germany's June 10 Meeting in Berlin on the Future of Arms Control in Europe, the OSCE's Annual Security Review Conference June 23-24, the OSCE informal Ministerial in Corfu June 27-28, and the U.S.-Russia Summit meeting in July, seemed to spark intensified exchanges in May, June and July. The round ended with Allies continuing to maintain complete unity and Russia sticking to its positions, with a growing sense of cautious optimism that more frequent and substantive high-level U.S.-Russia bilateral negotiations on CFE, combined with other factors, will somehow lead to progress. All USG objectives (e.g., contained Reftel) for the winter-spring session were met or exceeded. The fall round begins on September 8. Please see para 16 for fall issues. End Summary.

Allies Pile-on and Record Serial Russian Non-Compliance

¶3. (C) Throughout the session, Allies remained united and continued to emphasize the need for Russia to return to full implementation. The winter/spring round saw Allies record 15 instances of Russia rejecting CFE inspections. Allied interventions were always pre-coordinated, with a core group of six to eight providing supporting interventions critical of Russia. In February, USDel shifted tactics slightly. Rather than simply drawing attention to Russia's noncompliance, Allies also began to stress that 29 States Parties were fully implementing the Treaty, that Russia was alone as the outlier. In addition to rejected inspection

requests, Allies censured Russia for failing to provide supplemental data in April for equipment located at Kushchevskaya, and failing to provide supplemental flank data in July. For the July flank data statement, Allies agreed to a joint statement on behalf of all delivered by Belgium, the Chair of the NATO Caucus that month, rather than a series of individual statements.

¶4. (C) While criticizing non-compliance, Allies in Vienna were also consistent in reaffirming Alliance support for the Parallel Actions Package and the lead negotiation role for the U.S. Although the lists of interventions on Russian noncompliance were limited to Allies, Georgia and Moldova joined in, particularly regarding Russia's failure to supply data on Kushchevskaya. Both partners, on the margins, also confirmed continued support for the U.S.-led negotiations on the basis of the Parallel Actions Package.

Russia,s Approach

¶5. (SBU) Throughout the winter/spring round, Russia continued to raise relatively consistent and long-standing criticisms of NATO enlargement. Russian Arms Control Rep Mikhail Ulyanov repeatedly castigated NATO's allegedly passive negotiating posture and alleged reluctance to meet and talk, underscoring Russia's desire for the U.S. to engage in what he termed serious negotiations, including supporting talks in Vienna.

¶6. (SBU) Indeed, from the outset of the session Russia began to claim ownership of the Parallel Actions Package as a means to end the CFE deadlock, rhetoric which became more focused after the JCG debut on May 5 of Russia's Aide Memoire putting

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Russia,s positions in writing for the first time. He noted that this had been presented to A/S Gottemoeller a few days earlier. Responding to calls at the opening meeting for Russia to return to full implementation, Ulyanov claimed that Russia's resumption of implementation of the current Treaty would disaggregate the package since implementation is part of the current package.

Unsuccessfully Trying to Disaggregate Parallel Package

¶7. (SBU) At the May 5 meeting Ulyanov unveiled Russia's Aide Memoire to the JCG. Ulyanov claimed that the document was developed, in part, in response to several requests for an official Russian reaction to the Parallel Actions Package. He added that Russia wanted the Aide Memoire to serve as a catalyst for intensified discussions. Ulyanov stressed that there was much work to be done to flesh out the Parallel Action Package and that work must be done in Vienna. Seeking a greater role for the JCG in those negotiations remains a consistent Russian theme. In addition, Russia's playbook included discourse on the legal nature of Russia's suspension, criticism for NATO's alleged failure to fulfill its Istanbul commitments vis a vis A/CFE ratification, and the Alliance's "misaligned priorities" regarding enlargement and arms control.

¶8. (SBU) Ulyanov also began to refer to the Parallel Actions Package proposal as the "Russian-U.S. package." At one point he boasted that about 30 percent of the package's text was Russian, implying that Russia had contributed to the current package more than Allies. By mid-June Ulyanov was consistently calling for progress by way of the Parallel Actions Package, but always noting that an agreed package would have to address Russia's concerns as identified in its Aide Memoire.

Russia Puts it in Writing

¶9. (SBU) Following the June 10 German-hosted High Level meeting in Berlin, Ulyanov lamented that Allies did not have a clear understanding of Russia's position, provoking several vigorous interventions by an offended Canada (Linteau). Ulyanov used meetings in June and July to restate Russia's position, proceeding paragraph-by-paragraph through the Aide

Memoire document. In doing so, he provided little additional information on Russia's original points. Where he did expand, he refrained from providing his comments in writing, despite Allied challenges led by Germany and Britain to do so, conceding at one point that his remarks were not fully cleared in Moscow.

¶10. (SBU) At the closing plenary, Ulyanov went out with a bang, but this time provided all of it in writing: three documents for "homework" over the summer recess: Russia's response countering the U.S. December 2008 legal analysis on Russia's right to invoke a moratorium on the CFE Treaty; renewing the proposal for provisional application of A/CFE once the package is agreed; and further data regarding its claims that NATO is in "gross violation" of the Treaty. Pressed by the United Kingdom (Gare), he did admit that no NATO state on a national basis was in non-compliance.

Looking Backward: Russia Claims NATO Gross Violations

¶11. (SBU) Although Russia reacted passively during the first half of the round to Allied interventions on Russia's non-compliance, beginning May 5 Russia (Ulyanov) began to counter Allied criticism by resurrecting allegations of "gross NATO violations" of core CFE limitations. Until the final plenary, Ulyanov resisted Allied requests for him to put his claims in writing and provide the JCG with the data on which his allegations were based. At the July 13 meeting, he referred all interested parties to Russia's interventions at the Third Review Conference, which he said included all of the necessary data and Russian arguments. Germany, Turkey, Italy, United Kingdom, and the U.S. initially led Allied statements to refute Russian contentions as baseless. After several rounds of this, they referred to their previous interventions on this spurious Russian distraction.

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Looking Forward - Prospects for the Future

¶12. (C) Allies remain solidly behind the current strategy of focusing attention on Russian non-compliance. As stated in other fora, Allies are also convinced that the current track of bilateral negotiations provides the best chance of overcoming the impasse. Though Allies understand that first-order issues must be agreed in the high-level bilateral track before Allies begin to reflect on the best way to delegate work on specific issues (a point USDel has made on numerous occasions), there is growing exhaustion over the repetitive nature of Allied interventions and some frustration over the fact that the JCG can not play a more active role.

¶13. (C) Allies have been patient, allowing the new U.S. administration time to assemble its team. They also understand that post START negotiations must dominate bilateral arms control discussions in the near term and why. Nevertheless, results from the U.S.-Russia Presidential Summit and the 9 July HLTF indicate that bilateral contacts will likely increase in the fall, thus building a sense of cautious expectation for forward movement on CFE, or at least effort.

Azerbaijan vs. Armenia

¶14. (U) At the first three meetings, Azerbaijan and Armenia exchanged charges and counter charges over alleged Russian transfers of equipment to Armenia. Russia adamantly denied any wrongdoing, and questioned the evidence provided by Azerbaijan. The row dissipated as unexpectedly as it began, and while a resolution was not found, this spat dominated meetings in January.

What to Expect in September

¶15. (C) Pending the results of the late summer high-level bilateral, and future such meetings in the fall, Mission expects more of the same behavior from Russia, namely Russia

will: continue to trumpet their demands for changes to the A/CFE regime (especially changing the terms of the flank), deflect criticism of their own non-compliance by accusing NATO of violations, and push for JCG work on specific issues e.g., negotiating a definition of "substantial combat forces." ¶16. (C) The U.S., Germany, and other Allies repeatedly urged Russia to look forward, rather than backward. All have expressed hope for progress at the late summer high level U.S.-Russia bilateral talks. The first JCG meeting of fall session will be on September 8, right on the heels of the high-level talks. Mission expects Russia will prepare a statement on the results of the bilat for the first JCG plenary, September 8. If the past is any guide, inter alia it will aim at trying to reduce Allied confidence in U.S. leadership on CFE. This is also before the first HLTF, scheduled for September 17. Mission recommends at least a cursory debrief for NATO Allies in Vienna on the results of the high-level bilateral meeting for use in advance of the first JCG plenary, as well as Washington guidance and remarks for the opening plenary.

List of Reporting Cables

¶17. (U) For more details, here follows a list of post reporting on the January-July Round: USOSCE 0010, USOSCE 0015, USOSCE 0016, USOSCE 0030, USOSCE 0040, USOSCE 0044, USOSCE 0051, USOSCE 0061, USOSCE 0080, USOSCE 0093, USOSCE 0095, USOSCE 0098, USOSCE 0118, USOSCE 0122, USOSCE 0131, USOSCE 0137, USOSCE 0144, USOSCE 0153, USOSCE 0156, USOSCE 0166, and USOSCE 0170.

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